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09/695,684	10/24/2000	Janne Kari	460-007649-US	1424

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EXAMINER	
COLBERT, ELLA	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/695,684	Applicant(s) KARI ET AL.
	Examiner Ella Colbert	Art Unit 3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 are pending.

2. The IDS filed 10/24/00 has been considered and entered as paper no. 4.

3. The IDS filed 09/17/03 has been considered and entered as paper no. 5.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim format is improper. The claims are difficult to examine because of the claim language. For example: the drawing figure element in parentheses referencing "search terminal (1)". The recitation of "Method according to Claim 1, characterized in that the received information ..." in claim 2. The other claims have a similar problem. Applicants' are respectfully requested to review the enclosed US application number 6,154,745 by the Applicants' of the instant application for the proper claim format. Correction is required.

Claims 1, 12, and 24 recite "current location and/or travel route." It is unclear whether Applicants' mean "current location and travel route" or "current location or travel route" or "current location and travel route and current location or travel route." Clarification in the claim language is requested.

5. Claim 1 is not sufficiently precise due to the combining of two separate statutory classes of invention in a single claim. The preamble of the claim refers to a method, but

the body of the claim discusses the specifics of the system of the transmission of information (ex. A search terminal, a browser application, displaying the information to the user by a search terminal, and several servers), and subsequently the claim then deals with the specifics of a method (the steps ex. information is searched, receiving and processing the information query, and conducting the information search on the basis of the current location.

6. Claims 2-11 are rejected as being dependent on claim 30 as discussed above.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-11 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non=statutory subject matter.

35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof" (emphasis added). Applicants' claims mentioned above are intended to embrace or overlap two different statutory classes of the invention as set forth in 35 USC 101. The claims begin by discussing a method (ex. Preamble of claim 1), the body of the claim discusses the specifics of the system of the information query, and subsequently the claim then deals with the specifics of a method (the steps) executed by the transmission of information (see above rejection of claims under 35 USC 112, second paragraph, for specific details regarding this issue). "A claim of this type is precluded by the express language of 35 USC 101 which is drafted so as to set

forth the statutory classes of invention in the alternative only", Ex parte Lyell (17 USPQ2d 1548).

Claim Objections

8. Claims 14 and 15 are duplicate claims. Claim 15 recites the same limitation as claim 14. Applicant is required to either cancel one of the claims or to amend the claims so they do not recite the same claim limitation. Correction is required.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,956,716) Kenner et al, hereafter Kenner in view of (US 5,848,373) DeLorme et al, hereafter DeLorme.

As per claim 1, Kenner teaches, Method for transmission of information to a mobile user, in which: an information query is sent from a search terminal (1) by using a browser application program running in the search terminal (col. 1, lines 49-57, col. 2, lines 11-22, and fig. 4 (82), the information query is received and processed (col. 16, lines 14-48), information is searched for (col. 16, lines 17-32), the information is transmitted to the search terminal (1) (col. 16, lines 24-30 and lines 42-47), the information is received and displayed to the user by the search terminal (1) (col. 16,

lines 34-38 and lines 39-42 and fig. 3), and one or several servers (3, 4, 4', 4") are available for the information search (col. 20, lines 25-38 and fig. 4 (68, 83, and 93). Kenner failed to teach, characterized in that the current location and/or travel route of the mobile user is sent (102) from the search terminal (1) to the means (3, 4, 4', 4") for receiving and processing of the information query, wherein the information search is conducted at least partly on the basis of the current location and/or travel route of the mobile user, and the information query sent by the search terminal (1) is routed to the server (3, 4, 4', 4") suitable for the information search at least partly on the basis of the current location and/or travel route of the mobile user. DeLorme teaches, characterized in that the current location and/or travel route of the mobile user is sent from the search terminal to the means for receiving and processing the information query (col. 15, lines 5-20), wherein the information search is conducted at least partly on the basis of the current location and/or travel route of the mobile user (col. 15, lines 20-23), and the information query sent by the search terminal is routed to the server suitable for the information search at least partly on the basis of the current location and/or travel route of the mobile user (col. 22, lines 50-60). DeLorme failed to teach a server. Kenner teaches a server in col. 20, line 52 and fig. 4 (93). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the current location and/or travel route of the mobile user sent to the search terminal and to modify in Kenner because such a modification would allow Kenner to have spatially related information that can be queried from databases relevant to the selected grid quadrangle.

As per claim 2, Kenner teaches, Method according to Claim 1, characterized in that the received information is displayed to the user by said browser application program (col. 20, lines 25-34 and col. 21, lines 26-29).

As per claim 3, Kenner teaches, Method according to Claim 1, characterized in that at least two data transmission channels are used to transmit the information query from the search terminal (col. 18, lines 30-39).

As per claim 4, Kenner teaches, Method according to Claim 1, characterized in that the information to be transmitted to the search terminal comprises a reply message as a response to the information query, and that at least two data transmission channels are used to transmit the reply message to the search terminal (col. 11, lines 52-64).

As per claim 5, Kenner teaches, method according to Claim 4, characterized in that the connection server examines the amount of information which will be needed to transmit the reply message to the search terminal, wherein the connection server then selects the most appropriate data transmission method of said at least two data transmission channels to transmit the reply message to the search terminal (col. 5, lines 53-64, col. 6, lines 41-52, and fig. 4 (68)).

As per claim 6, Kenner teaches, Method according to Claim 1, characterized in that at least part of the information transferred between the search terminal and the means for receiving and processing of the information query is transmitted by using short messages (col. 8, lines 52-65).

As per claim 7, Kenner teaches, Method according to Claim 6, characterized in that at least part of the received information is displayed to the user as short messages (col. 10, lines 58-64).

As per claim 8, Kenner teaches, Method according to Claim 1, characterized in that a data call is formed between the search terminal and the means for receiving and processing of the information query, wherein is at least part of the information transferred is transmitted by using said data call (col. 13, lines 26-34).

As per claim 9, Kenner teaches, Method according to Claim 1, characterized in that user-specific information is stored in at least one user profile data base and information in the user profile data base is utilized as an additional search criterion in the information search, if necessary (col. 25, lines 55-67 and col. 26, lines 1-7).

As per claim 10, Kenner teaches, Method according to Claim 9, characterized in that user-specific information is stored in the search terminal (1) (col. 26, lines 34-49).

As per claim 11, Kenner teaches, Method according to Claim 1, characterized in that service-specific information is stored in at least one service data base,and information is retrieved from service data bases (col. 4, lines 37-53).

As per claim 12, System for transmitting information to a user, the system comprising: means (3, 4, 4', 4") for retrieving information (col. 4, lines 47-53) and means (2) for transmitting the information to the search terminal (1) col. 4, lines 7-13, fig. 4 (68)).

This independent claim is rejected for the similar rationale as given above for claim 1.

As per claim 13, this dependent claim is rejected for the similar rationale as given above for claim 2.

As per claim 14, this dependent claim is rejected for the similar rationale as given above for claim 3.

As per claim 15, this dependent claim is rejected for the similar rationale as given above for claim 3.

As per claim 16, this dependent claim is rejected for the similar rationale as given above for claim 6.

As per claim 17, this dependent claim is rejected for the similar rationale as given above for claim 7.

As per claim 18, this dependent claim is rejected for the similar rationale as given above for claim 8.

As per claim 19, this dependent claim is rejected for the similar rationale as given above for claim 9.

As per claim 20, this dependent claim is rejected for the similar rationale as given for claim 10.

As per claim 21, Kenner teaches, a System according to Claim 12, characterized in that it comprises at least one service data base for storing information on suppliers of the service, and that also information contained in the service data base is arranged to be used in addition to the search criterion in the information retrieval, if necessary (col. 5, lines 17-38). This claim is also rejected for the similar rationale as given above for claim 11.

As per claim 22, Kenner teaches, System according to the Claim 12, characterized in that the system comprises at least one connection server (3) and at least one remote server (4,4',4") (Fig. 4 (83 & 93) means (2) for setting up a data transmission connection between the search terminal (1) and the connection server (3) (col. 4, lines 54-64 and co. 6, lines 41-52), and means for setting up a connection between the connection server (3) and the remote servers (4, 4', 4") (col. 5, lines 56-64).

As per claim 23, Kenner failed to teach, System according to the Claim 12, characterized in that the transmission of information is arranged to be conducted at least partly in a wireless manner. DeLorme teaches, the transmission of information is arranged to be conducted at least partly in a wireless manner (col. 12, lines 40-62, fig, 2 and fig. 4 (45)). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the transmission of information is arranged to be conducted at least partly in a wireless manner and to modify in Kenner because such a modification would allow Kenner to have a system with communication links that are wireless for the transmission and exchange of data for display or other use such as user location information as well as other spatially related data.

As per claim 24, Kenner failed to teach, means for adding information on the current location and/or travel route of the mobile user to the information query for retrieving information, wherein in the system comprising at least one server, the information retrieval is arranged to be conducted at least partly on the basis of the

current location and/or travel route of the mobile user, and the information query is arranged to be routed to the server (3, 4, 4', 4") suitable for retrieving information at least partly on the basis of the current location and/or travel route of the mobile user. DeLorme teaches, means for adding information on the current location and/or travel route of the mobile user to the information query for retrieving information (col. 2, lines 43-58), wherein in the system comprising at least one server, the information retrieval is arranged to be conducted at least partly on the basis of the current location and/or travel route of the mobile user (col. 15, lines 5-23), and the information query is arranged to be routed to the server (3, 4, 4', 4") suitable for retrieving information at least partly on the basis of the current location and/or travel route of the mobile user (col. 22, lines 7-34). DeLorme failed to teach a server. Kenner teaches a server in fig. 4 (68 & 93). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a means for adding information on the current location and/or travel route of the mobile user to the information query for retrieving information, wherein in the system comprising at least one server, the information retrieval is arranged to be conducted at least partly on the basis of the current location and/or travel route of the mobile user, and the information query is arranged to be routed to the server (3, 4, 4', 4") suitable for retrieving information at least partly on the basis of the current location and/or travel route of the mobile user and to combine Kenner's server with DeLorme's information on the current location and travel route of the mobile user because such a modification would allow Kenner to have a correlation and coordination of the uniquely named grid quadrangle with the corresponding printed

map and additional information related to the selected grid quadrangle area. This independent claim is also rejected for the similar rationale as given above for claim 12.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicants' are respectfully requested to review the references for the proper claim format.

Kari et al (US 6,154,745) Applicants' patented application.

Dedrick (US 5,710,884) disclosed storing and updating electronic information.

Dedrick (US 5,754,787) disclosed transmitting electronic information.

Buss et al (US 5,539,395) disclosed a device for select messages on a display.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E. Colbert
April 5, 2004